

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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GREGORY KENNETH LEE, #184 070 \*

Plaintiff, \*

v. \* CIVIL ACTION NO. 2:05-CV-1099-T

WARDEN LEON FORNISS, *et al.*, \*

Defendants. \*

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**O R D E R**

Plaintiff, an inmate incarcerated at the Staton Correctional Facility in Elmore, Alabama, filed this 42 U.S.C. § 1983 action on November 16, 2005. He has not submitted the \$250.00 filing fee nor has he filed motion for leave to proceed *in forma pauperis*. Plaintiff, therefore, shall be granted additional time to either submit the \$250.00 filing fee or a request to proceed *in forma pauperis* in this cause of action.

Accordingly, it is ORDERED that:

1. On or before December 1, 2005 Plaintiff submit either the \$250.00 filing fee or file the appropriate affidavit in support of a motion for leave to proceed *in forma pauperis*. Plaintiff is cautioned that his failure to comply with this Order will result in a recommendation by the undersigned that this case be dismissed; and

2. The Clerk of Court MAIL to Plaintiff a form for use in filing a motion to proceed *in forma pauperis*.

Done this 18<sup>th</sup> day of November 2005.

/s/ Delores R. Boyd

DELORES R. BOYD

UNITED STATES MAGISTRATE JUDGE

for

VANZETTA PENN MCPHERSON

UNITED STATES DISTRICT JUDGE